

1 District Judge Ricardo S. Martinez  
2  
3  
4  
5  
6  
7  
8

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 YU MIAO,

10 Plaintiff,

11 v.

12 ALEJANDRO MAYORKAS, *et al.*,

13 Defendants.

Case No. 2:24-cv-00078-RSM

STIPULATED MOTION TO DISMISS  
AND ORDER

Noted for Consideration:  
August 14, 2024

14  
15 Pursuant to Federal Rule of Civil Procedure 41(a), the parties stipulate to the dismissal  
16 of this case without prejudice, with each party to bear their own costs. Plaintiff brought this  
17 litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*,  
18 to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate his Form I-589,  
19 Application for Asylum and for Withholding of Removal. USCIS has adjudicated the  
20 application and this case is now moot.

21 //

22 //

23 //

24 //

STIPULATED MOTION TO DISMISS  
[Case No. 2:24-cv-00078-RSM] - 1

UNITED STATES ATTORNEY  
1201 PACIFIC AVE., STE. 700  
TACOMA, WA 98402  
(253) 428-3800

1 DATED this \_\_\_\_ day of August, 2024.

2 Respectfully submitted,

3 TESSA M. GORMAN  
United States Attorney

4 s/ Michelle R. Lambert  
5 MICHELLE R. LAMBERT, NYS #4666657  
6 Assistant United States Attorney  
United States Attorney's Office  
1201 Pacific Avenue, Suite 700  
7 Tacoma, Washington 98402  
Phone: (253) 428-3824  
8 Fax: (253) 428-3826  
Email: [michelle.lambert@usdoj.gov](mailto:michelle.lambert@usdoj.gov)

9 *Attorneys for Defendants*

10 ***I certify that this memorandum contains 75  
11 words, in compliance with the Local Civil Rules.***

12  
13 Yu Miao  
14 1700 Jones Avenue NE  
15 Renton, Washington 98056  
Phone: (206) 778-8666  
Email: [miaoyu987@gmail.com](mailto:miaoyu987@gmail.com)  
16 Pro Se Plaintiff  
17  
18  
19  
20  
21  
22  
23  
24

## ORDER

The case is dismissed without prejudice. It is so ORDERED.

DATED this 15<sup>th</sup> day of August, 2024.

  
RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

## CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers.

I further certify that on today's date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

- 0 -

I further certify that on today's date, I arranged for service of the foregoing on the following non-CM/ECF participant, via Certified Mail with return receipt, postage prepaid, addressed as follows:

Yu Miao, *Pro Se Plaintiff*  
1700 Jones Avenue NE  
Renton, Washington 98056

DATED this 14th day of August, 2024.

s/ Stephanie Huerta-Ramirez

STEPHANIE HUERTA-RAMIREZ, Legal Assistant  
United States Attorney's Office  
700 Stewart Street, Suite 5220  
Seattle, WA 98101  
Phone: (206) 553-7970  
Fax: (206) 553-4073  
Email: [Stephanie.Huerta-Ramirez@usdoj.gov](mailto:Stephanie.Huerta-Ramirez@usdoj.gov)